Single Bench (3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

W. P. NO. 5071 OF 2004

PETITIONERS

1. M. Y. Iraqui, S/o Shri S. N. Hai, aged about 65 years, R/o Ward No. 18, Civil Line, Manendragarh, District Korea [Chhattisgarh]

2. Mrs. Malka Iraqui, W/o M. Y. aged about 48 years, R/o Ward No. 18, Civil Line, Manendragarh, District Korea [Chhattisgarh]

P.A. to ... 5062/04
Presented by Shri ... A. Rizvi
dated ... 27.12.04

VERSUS

RESPONDENTS

1. State of Chhattisgarh through Secretary, Department of Home (Police), Mantralaya, D. K. S. Bhawan, Raipur (Chhattisgarh)

2. Director General of Police, Chhattisgarh, Raipur (CG)

3. Inspector General of Police, Surguja - Ambikapur, District Surguja [Chhattisgarh]

4. Superintendent of Police, Korea, District Korea (CG)

5. Station House Officer/Town Inspector, Police Station Manendragarh, Dist Korea(CG)

27.12.04

20/11/07

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE OF CERTIORARI, MANDAMUS PROHIBITION AND OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS:

(42)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 5071/ सन् 2004

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	9.2.2005 Shri Manindra Shrivastava, Senior Advocate with Shri Amit Verma, Advocate for the petitioners. Shri Sanjay Shyam Agrawal, Govt. Advocate for the State/ respondents. Shri H. Peters, Station House Officer, Police Station: Manendragarh, District: Korea, is present in person with case diary of Crime No.92/2004 relating to the murder of Mohd. Zunaid. Heard. The Station House Officer submits that he is in seize of the case since September, 2004, and thereafter, all efforts have been made to locate the culprits. After reviewing all the material available and after perusal of the case diary, and all aspects of the case, the Superintendent of Police, Korea, has already requested the State Crime Branch on 7.2.2005 to transfer the case for further investigation by the Crime Branch as that is the only specialized Branch in the State of Chhattisgarh to investigate such blind cases. Since the Superintendent of Police has already made a request to the Crime Branch, in the circumstances, the Deputy Inspector General of Crime Investigation Department, Raipur, is directed to look into the matter personally and entrust the investigation to some senior officer for further and proper investigation, and the Dy. Inspector General,	

Bilas

Date

XI-EC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 5071/ सन् 2004

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

Crime Investigation Department, should from time to time supervise and monitor the investigation.

At this stage, learned Senior Counsel for the petitioners submitted that several representations were made by the petitioners herein giving certain clues of the case, but on account of lethargic attitude on the part of the then Station House Officer in investigating the matter, no progress could be made. He further submitted that even the then SHO namely, R.N. Yadav remained silent for 66 days and thereafter, he sent the blood for DNA test.

After further investigation, if the Deputy Inspector General on examination of the case diary reaches to the conclusion that there is some lapse on the part of the then SHO or any other investigating officer, then he should take up the matter on administrative side for initiating departmental inquiry against the guilty person for not conducting the investigation in an expected manner.

With the observations and directions aforesaid, the petition stands disposed of.

Sd/-
L.C. Bhadoo
Judge

Soma

Bila

Date